

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANNIE COLE,

Plaintiff,

v.

Case No. 14-11325

Honorable Nancy G. Edmunds

Magistrate Judge Elizabeth A. Stafford

BENJAMIN MAULDIN, et al.,

Defendants.

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**ORDER GRANTING DEFENDANT'S MOTION FOR  
LEAVE TO TAKE THE DEPOSITION OF PLAINTIFF [R. 51]**

Plaintiff Annie Cole, a state prisoner proceeding *pro se*, brought this action pursuant to [42 U.S.C. § 1983](#) against Benjamin Mauldin, among others. Cole's First Amendment retaliation claim against Mauldin is the only remaining claim. The Honorable Nancy G. Edmunds referred the case to this Court to resolve all pretrial matters pursuant to [28 U.S.C. § 636\(b\)\(1\)\(A\) and \(B\)](#). Before the Court is Mauldin's motion for leave to take the deposition of Cole on June 25, 2015 pursuant to [Fed. R. Civ. P. 30\(a\)\(2\)](#). [R. 51].

Under [Rule 30\(a\)\(2\)](#), a party must obtain leave of Court to depose a person who is confined in prison, and the Court must grant such leave when it is consistent with the scope and limits of discovery set forth in Rule

26(b)(2). [Fed. R. Civ. P. 30\(a\)\(2\)](#). The requirements of [Rule 30\(a\)\(2\)](#) are satisfied. Cole is confined in prison, and Mauldin's request to depose her is consistent with Rule 26(b). Mauldin's motion for leave to depose Cole [[R. 51](#)] is **GRANTED**.

**IT IS ORDERED.**

s/Elizabeth A. Stafford  
ELIZABETH A. STAFFORD  
United States Magistrate Judge

Dated: June 9, 2015

**NOTICE TO THE PARTIES REGARDING OBJECTIONS**

The parties' attention is drawn to [Fed. R. Civ. P. 72\(a\)](#), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under [28 U.S. C. §636\(b\)\(1\)](#). Unless ordered otherwise by the Court, the filing of an appeal to the District Judge does not stay the parties' obligations in this Order. See E.D. Mich. [LR 72.2](#).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 9, 2015.

s/Marlina Williams  
MARLENA WILLIAMS  
Case Manager